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Of Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

TYLER JOHN GABRIEL,

Defendant.

Case No: 3:20-cr-00280-BR

**DECLARATION OF JON WEINER IN  
SUPPORT OF MOTION TO  
CONTINUE TRIAL**

I, Jon Weiner, counsel for Plaintiff, declare as follows:

1. I was appointed to represent Defendant Tyler Gabriel in the above-captioned matter on August 6, 2020.
2. Limited discovery has been provided in this case. It is my understanding that a substantial amount of digital evidence will be made available in the near future. Opposing counsel has been asked to provide information regarding the status of any anticipated provision of further discovery materials. Opposing counsel has also been asked to provide an offer or any other information

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regarding potential disposition of this matter short of trial. No response has been received.

3. Given the dearth of information currently available it will not be possible to adequately defend this case at trial under the existing timeline.
4. Based on the foregoing, I request that this Court cancel the current trial date and set a status or pretrial conference in its stead.

I declare under penalty of perjury that the foregoing is true and accurate.

DATED: September 15, 2020

/s/ Jon Weiner  
Jon Weiner, OSB #993944  
Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that I have made service of the foregoing Declaration on the parties herein by CM/ECF filing on September 15, 2020.

DATED: September 15, 2020

/s/ Jon Weiner \_\_\_\_\_

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